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REMARKS

This amendment is filed responsive to the Official Office Action mailed July 2, 2004 in which all claims were rejected.

Claims 1 - 11 were rejected under 35 USC §103 (a) as being unpatentable over Garcia et al. (U.S. Pub. 2003/0233921A1) in view of Cook (4,158,222).

The Examiner stated that, "Garcia teaches the invention substantially as claimed...."

Garcia teaches the attachment of the light source to the upper blade guard of the saw that is not mounted on the frame of the saw. The blade guard is a flimsy structure in comparison to the frame of the saw and is not the invention as claimed by the Applicant in Claim 1.

Further, the examiner states, "The phrase "fixed to a width dimension that is substantially equal to the width of said saw blade" in lines (15 and 16 of claim 1) is interpreted that the spot of light is fixed closely to the width of the kerf which is substantially equal to the width of the saw blade."

A question which arises is which of the light spots of the two lighting units is the spot of light taught as being equal to the width of the saw blade? Neither of the spots need be of any particular dimension in the teaching of Garcia since the lighting units illuminate the region extending outwardly from the kerf and the saw blade. Therefore neither the left spot of light or the right spot of light need be any required dimension.

If the Garcia kerf is not illuminated when the device is properly adjusted the device fails to function in the manner which the device of Applicant functions and accordingly the device is not the same as or renders obvious the device of Applicant. The statement that "Garcia teaches the invention substantially as claimed ..." is clearly incorrect and does not provide a proper base

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reference for the rejection using the Cook reference as a secondary reference.

Garcia is cited as failing to provide a teaching of two lenses in the lighting device. However, the Cook lenses are not the same as the lenses recited in Applicant's claim 1. The Cook reference teaches a fresnel lens which is fixed and not rotatable from the position in which it is assembled, evidenced by the clamping ring 54 which clamps the flange 64 to be immovable with respect to the plate 44, thus clamping the lens in a fixed position..

Applicant's second lense is rotatable to align the lens surfaces and the resulting light fan relative to the kerf formed on the workpiece by the saw blade.

The device in Cook is a light which is used as a traffic control light and is not a precision saw and illumination device as called for by Applicant's claim 1. The light in Cook is not designed to or provide a narrow spot of light passed through a lens to create a fanning of the narrow spot into a line of light and does not provide a cure to the shortcomings of the Garcia reference.

The brightness of the light beam is a function of the laser output and not the focusing and the fanning of the light spot in Applicant's device.

If Cook is combined with Garcia, the result will be a device which illuminates the area on either side of the kerf of the saw and the saw blade and does so with a lens system which causes the light to disperse as it progressively passes farther from the source. This result is not Applicant's invention as claimed in claims 1 - 11 of the application.

With respect to claim 2, the illumination of the workpiece is the region that is removed by the saw blade. The Garcia reference teaches the illumination of the regions to the right and left of the kerf location on the workpiece, leaving the space between illuminated regions, the kerf, not illuminated by the device of Garcia.

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Regarding claim 3, the lens 34 of Cook is provided with a series of lenticular surfaces 66 which act as a fresnel lens on the first surface and is not a surface of the lens which is flat.

Regarding claim 5 the second lens of Cook does not provide a single line of light but illuminates with diverging rays a large area of a turning lane on a street or hiway.

The result of combining the teachings of Garcia and the lighting structure and lens of Cook does not result in the invention by Applicant as defined in claims 1-11. The combination of the Garcia and Cook patents is inappropriate.

Applicant believes that all claims of record, as filed, are allowable over the combination of Garcia and Cook.

Therefor, Applicant requests the withdrawal of the rejections made in the Official Office Action and pass the application to Allowance.

If Examiner should notice any minor matter only requiring a telephone conference, Examiner is urged to telephone Applicant's Attorney at 859 278-0011.

RESPECTFULLY SUBMITTED



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